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## Summarization of Environmental and Social Standards for the Artisanal & Small-scale Mining (ASM) Sector of Liberia



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*UNDER THE TECHNICAL SUPERVISION AND COLLABORATION WITH:*



## List of Abbreviations

AfDB	African Development Bank
SM	Artisanal & Small-scale Mining/Miners
CBD	Convention on Biological Diversity
CMS	Convention on the Conservation of Migratory Species of
EITI	Extractive Industries Transparency Initiative
EPA	Environmental Protection Agency
EPML	Environment Protection and Management Law of Liberia
ESF	Environmental & Social Framework
ESS	Environmental & Social Standards
FIFA	First In-First Assessed
GDO	Government Diamond Office (Ministry of Mines and
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
ICMC	International Cyanide Management Code
ICMM	International Council on Mining and Metals
IFC	International Finance Corporation
LEITI	Liberia Extractive Industries Transparency Initiative
MME	Ministry of Mines & Energy
MML	Minerals and Mining Law of Liberia (2000)
NEOHP	National Environmental and Occupational Health Policy
OECD	Organization for Economic Cooperation and Development
OS	Operational Safeguard
PE	Performance Expectations
PS	Performance Standards
ReGo	Regional Resource & Governance Project
UNCCD	United Nations Convention to Combat Desertification
WB	World Bank

<b>Theme: International Best Practices – Handbook on Environmental Due Diligence in Mineral Supply Chains (2023)</b> – sets out the expectations of governments for enterprises to conduct due diligence to identify, prevent and mitigate actual and potential adverse impacts in mineral supply chains.			
Environmental risks an adverse impact assessment	Chapter 2 [EPML 6(1)]	EPA & MME	All miners are to undertake an environmental and social risks of their projects and deal with the adverse impacts thereto, in accordance with national and international standards, including avoiding violation of human rights.
What are the due diligence approaches miners should abide by?	Chapter 4 [EPML 6(1)]	EPA & MME	Miners are to abide by six (6) due diligence approaches: (1) Employ Responsible Business Conduct (RBC) in their activities; (2) Identify and assess actual and potential adverse impacts associated with their projects; (3) Cease, prevent and mitigate adverse impacts; (4) Track implementation and results; (5) Communicate how impacts are addressed; and (6) Provide for and cooperate in remediation.

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<p><b>Theme: International Best Practices – Minamata Convention on Mercury (2013)</b> – envisages the controlled use and progressive removal of mercury from circulation, due to its significant negative impacts on human health and the environment.</p>			
Mercury is banned for ASM activities	Art. 7 [EPML 52 & 53]	EPA & MME	The use of mercury is banned for artisanal and small-scale mining activities.
Emission of Mercury	Art. 8 [EPML 36]	EPA & MME	No miner shall emit mercury into the air.
Release of Mercury	Art. 9 [EPML 52 & 53]	EPA & MME	No miner shall cause the release of mercury to the land or water.
Contaminated sites	Art. 12 [EPML 35] [EPML 52 & 53]	EPA & MME	All miners shall desist from working on sites that have been contaminated with mercury.
Capacity building, technical assistance and technology transfer	Art. 14 [EPML]	EPA & MME	Miners shall be educated on the use of mercury and provided technical assistance on using alternative technology than using mercury.

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**Environmental Laws and Standards Governing the ASM Sector**

All miners within the ASM sector are to adhere to environmental regulations promulgated by the Liberian Constitution, the Environment Protection and Management Law of Liberia, as well as guidelines issued by relevant governmental agencies.

Some miners within the ASM sector may also be direct or indirect beneficiaries of funding from the World Bank or other financial lending institutions and are therefore required to adhere to the World Bank’s Environmental and Social Standards (ESS), the International Finance Corporation (IFC) Performance Standards or African Development Bank (AfDB) Group’s Integrated Safeguards System. In addition, where there are gaps within the Environment Protection and Management Law of Liberia on environmental and social issues, the Environmental Protection Agency (EPA) of Liberia has relied on these international standards.

Further, Liberia is a signatory to several international conventions and treaties on environmental and social issues. Some of these conventions and treaties have been ratified by the Government of Liberia, domesticated under our laws and enforced by the EPA and relevant agencies. Where others have not been ratified, the EPA has ascribed to these conventions and treaties. Still, there are also some internationally best practices affecting environmental and social governance, such as the policies of the International Council on Mining and Metals (ICMM) and the 2023 Extractive Industries Transparency Initiative (EITI) Standards, which provide good practices for environmental, social and governance requirements for the mining industry. Where relevant, these practices have been accepted and enforced by the Government of Liberia.

Below is a summarization of the environmental and social laws of Liberia, international standards, conventions, and treaties, as well as internationally accepted environmental and social best practices enforced by the EPA of Liberia.

<b>Theme: International Best Practices - International Cyanide Management Code (ICMC)</b> – formed in 2002 to control for the manufacturing, transportation and use of cyanide in the production of Gold.			
Responsible management of cyanide usage	ICMC [EPML 52 & 53]	EPA & MME	Miners are to desist from using cyanide. Whenever used, the ICMC Code must be followed.
Protection of Human Health	ICMC [NEOHP]	EPA & MME	Miners are to desist from using cyanide. Whenever used, the ICMC Code must be followed.
Potential for Environmental Impacts	ICMC [EPML 52 & 53]	EPA & MME	Miners are to desist from using cyanide. Whenever used, the ICMC Code must be followed.

			opportunities in an open and transparent manner.
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Environmental Performance	PE 06 [EPML 6(1)]	EPA & MME	Miners shall pursue continual improvement in environmental performance issues, such as water stewardship and climate change.
Conservation of Biodiversity	PE 07 [EPML 4(2)(d)]	EPA & MME	Miners shall contribute to the conservation of biodiversity and integrated approaches to land-use planning.
Responsible Production	PE 08 [EPML 52 & 53]	EPA & MME	Miners shall facilitate and support the responsible design, use, re-use, recycling and disposal of products containing metals and minerals.
Social Performance	PE 09 [EPML 6(1)]	EPA & MME	Miners shall pursue continual improvement in social performance and contribute to the social, economic and institutional development of hosts and communities.
Stakeholder Engagements	PE 10 [EPML]	EPA & MME	Miners shall engage key stakeholders on sustainable development challenges and

Issues/Themes	Reference	Enforcing Agency(ies)	Response/Discussion
<b>Theme: Liberian Governance Principles</b>			
Who can own a Class C mining license?	MML 4.2(h)	MME	Only a Liberian national.
What is the tenure and size of a Class C mining license?	MML 6.3(b)(c) & (d)	MME	A Class C mining license is for one (1) year and renewable. The area of a license is not more than twenty-five (25) acres and a holder cannot have more than four (4) Class C licenses.
What is the fee for a Class C mining license?	MME Regulations	MME	The fee for a Class C mining license is presently US\$150.00. However, there are other associated costs. The fee is also subject to change.
Who can own a Class B ASM mining license?	MML 4.2(i)	MME	A Liberian national or Liberian-foreign partnership.
What is the tenure and size of a Class B ASM mining license?	MML 6.4(a)	MME	A Class B mining license is for no more than five (5) years and is renewable. The area of a Class B mining license varies

			and is usually much larger than a Class C.
What qualifies a Class B mining license as an ASM?	MML 1.3(c)	MME	To qualify as an ASM, a Class B miner will not undertake industrial operations, but rather artisanal.

What are the processes for obtaining a 'Class B' mining license as an ASM?	MML 5.2	MME	A Class B mining license is issued to a Liberian and/or foreign national. Application is processed on a first in-first assessed (FIFA) basis, after a Prospecting License.
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What is the fee for a Class B mining license?	MME Regulations	MME	The fee for a Class B mining license is US\$10,000.00, payable annually. There are also other associated fees.
Can Class B and C mining license holders form cooperatives?	MML 6.4(c)	MME	A group of Class C and up to fifteen (15) Class B license holders can form a cooperative, so as to share costs of equipment or infrastructure.
What are the processes for obtaining a Prospecting License?	MML 5.2	MME	A person or entity may apply for a Prospecting License over an area to be specified in the application. The license will be issued if the area has no liens, does not exceed 100 acres, and accompany a work plan. A Prospecting License is valid for only 6 months. A Prospecting License precedes a Class B ASM mining license.

<b>Theme: International Best Practices - International Council on Metals and Mining (ICMM)</b> – a CEO-led organization formed in 2001 to improve sustainable development in the mining and metals industry.			
Ethical Business	PE 01 [EPML]	EPA & MME	Miners shall engage in ethical business practices and transparency to support sustainable development.
Decision-making	PE 02 [EPML]	EPA & MME	Miners shall integrate sustainable development in their strategy and decision-making practices.
Human Rights	PE 03 [EPML]	EPA & MME	Miners shall respect human rights and the interests, cultures, customs and values of workers and communities affected by their mining activities.
Risk Management	PE 04 [EPML 6(1)]	EPA & MME	Miners shall implement effective risk-management strategies and stakeholder perceptions of risk.

<b>Theme: International Standard: EITI Standard 2023</b> – this is a global standard for the good governance of oil, gas and mineral resources, especially those relating to the environmental and social impact of extractive activities.			
Public Disclosure	There shall be a disclosure of legal and administrative rules of environmental and social impact management. [EPML 4.2(h)]	EPA & MME	All miners are required to disclose environmental information of their project sites, for the benefit of the environment.
Environmental, social and gender impact assessments	All mining projects shall assess related environmental, social and gender impacts. [EPML]	EPA & MME	All miners are to assess the environmental, social and gender impacts associated with their projects.
Information on the monitoring and enforcement practices on water, land, emissions and human rights, and the outcomes of these activities.	All mining projects are to water, land, emissions and human rights associated with their projects. [EPML]	EPA & MME	All miners are to monitor the physical environment, including water, land, emissions and human rights during the implementation of their projects.

Health and Safety	PE 05 [NEOHP]	EPA & MME	Miners shall pursue continual improvement in physical health and safety performance with the ultimate goal of zero harm.
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Are ASM mining license holders required to abide by environmental regulations?	EPML 4(2), Annex 1(15); MML 8(1)	EPA & MME	Yes, all mining license holders are required to abide by environmental protection laws of Liberia and international best practices.
Are ASM license holders required to obtain EPA Permit before commencing operations?	EPML 6(1)	EPA & MME	Yes, an EPA permit shall be required prior to the commencement of all projects or activities specified in the Environmental Law, including mining.
What are some of the environmental issues that an ASM mining license holders to consider?	EPML	EPA & MME	Some environmental issues that should be considered relate to the protection of biodiversity – habitats, plants, animals; noise, vibration, air quality, water quality, cultural heritage, landscape and visual (aesthetics), community and occupational health & safety, hazardous and solid wastes.
Biodiversity	EPML 4(2)(d)	EPA & MME	Miners are to implement biodiversity conservation principles. They are to prevent the wanton clearing of trees, including mangrove, that could lead to deforestation. They are to also avoid the wanton killing of animals, that could lead to extinction.

What are the processes for obtaining a 'Class C' mining license?	MML 5.2	MME	A Class C mining license to only a Liberian national. Application is processed on a first in-first assessed (FIFA) basis. When an application is received, the area is assessed to determine if it is free of liens. The applicant is requested to pay the required fees and the license is issued.
Which process should miners abide to report and sell their produces?	MME Regulations	MME	All miners are to report and sell their produces abiding by the Kimberley Process Certification (KPC) set by the ministry. Miners are to report their produces to the Regional Office/Officers, before sales to licensed brokers and/or dealers.
Should miners expect receipts for the sales of their produces?	MME Regulations	MME	Yes, all miners should ensure that they obtain receipts for the sales of their produces. The receipts are for future inspection.
<b>Theme: Liberian Environmental Principles</b>			
Does the Liberian Constitution provide for environmental protection?	Liberian Constitution Art. 7	EPA & MME	Yes, the Constitution provides that environmental protection is a fundamental right. It provides for public participation of all in the process. It also mandates state organizations to set plans and policies for environmental sustainability.



Ramsar Convention on Wetlands of International Importance	Organized in 1971 for the conservation and sustainable use of wetlands of significance. [EPML]	EPA & MME	Miners shall desist from working in wetlands, which are important for the conservation of global biological diversity and sustaining human lives.
Convention on the Conservation of Migratory Species of Wild Animals (CMS)	Signed in 1979, it seeks to conserve avian, marine and terrestrial migratory species. [EPML 4(2)(d)]	EPA & MME	Miners are to desist from killing migratory birds, and marine or terrestrial animals during their activities, especially those in danger of extinction.
Safety and Health in Mines	Signed in 1995 for the protection of the safety and health of workers in mines. [NEOHP]	EPA & MME	Miners are to take measures for the safety and health of workers in mines, including occupational health and safety.
Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention)	Formed in 1972, it seeks to protect and preserve potential sites of cultural of world heritage. [EPML 4]	EPA & MME	Miners shall desist from damaging potential sites of cultural significance. Any important heritage site shall be protected and preserved.

<b>Theme: International Conventions &amp; Treaties</b>			
United Nations Convention to Combat Desertification (UNCCD)	Formed in 1996 to prevent land degradation and desertification. [EPML]	EPA & MME	Miners shall desist from wanton degradation of the land and cutting of trees, that could lead to desertification.
UN Framework Convention on Climate Change (UNFCCC)	It provides the foundation to address the problem of potentially irreversible climate change. [EPML]	EPA & MME	Miners shall desist from all activities that will adversely contribute to climate change. These include wanton clearing of large areas of vegetation, use of defective machinery, etc.
Convention on Biological Diversity (CBD)	Formed in 1993 to conserve biological diversity, ensure sustainable use and fair and equitable sharing of resources [EPML 4(2)(d)]	EPA & MME	Miners shall conserve biodiversity and use its products in ways that a sustainable. Miners shall also rehabilitate degraded ecosystems.

Community health & safety	EPML 50	EPA & MME	Miners are to take appropriate measures to prevent disaster to human or community health and the environment.
Occupational health & safety	EPML NEOHP	EPA & MME	Miners are to take appropriate measures to prevent adverse impacts to workers at sites where activities are undertaken.
Hazardous wastes	EPML 52 & 53	EPA & MME	Miners are to desist from using pesticides, toxic and hazardous chemicals and materials that will damage the environment.
Solid wastes	EPML 39 & 62	EPA & MME	All Miners are to desist from the wrongful discharge, discard or dump of solid wastes on any land, coastal zones or water surface.
Social environment	EPML 4	EPA & MME	All Miners shall ensure the sustainable and wise use of the natural resources in pursuance of social development.

Noise & vibration	EPML 41	EPA & MME	Miners are to take appropriate measures to ensure the abatement and control of unreasonable noise and vibration pollution emitted into the environment.
Air quality	EPML 36	EPA & MME	Miners are to take appropriate measures to reduce existing sources of air pollution and to do all such things which may be necessary for the monitoring and controlling of air pollution.
Water quality	EPML 35	EPA & MME	Miners are to take appropriate measures and to do all such things which may be necessary for the monitoring and controlling of water pollution.
Cultural heritage	EPML 4	EPA & MME	Miners are to take appropriate measures to ensure respect, preservation, promotion and proper management of historic and cultural heritage.
Landscape & visual	EPML 76	EPA & MME	Miners are to take appropriate measures for the protection of landscapes from environmental degradation.

Theme: International Standards – The African Development Bank Group’s Integrated Safeguards System			
Environmental and Social Assessment	OS 1 [EPML 6(1)]	EPA & MME	All miners are to assess the environmental and social impacts and risks associated with their project, including those related to gender, climate change and vulnerability.
Involuntary resettlement: land acquisition, population displacement and compensation	OS 2 [EPML]	EPA & MME	All miners are to avoid involuntary resettlement where feasible, or minimize resettlement impacts where involuntary resettlement is deemed unavoidable and pay compensation.
Biodiversity, renewable resources and ecosystem services	OS 3 [EPML 4(2)(d)]	EPA & MME	All miners are to conserve biodiversity and ecosystem integrity by avoiding or, if avoidance is not possible, reducing and minimizing potentially harmful impacts on biodiversity.
Pollution prevention and control, hazardous materials and resource efficiency	OS 4 [EPML 35] [EPML 36] [EPML 52 & 53]	EPA & MME	All miners are to manage and reduce pollutants resulting from their projects, including hazardous and non-hazardous Waste, so that they do not pose harmful risks to human health and the environment;
Labour conditions, health and safety	OS 5 [NEOHP]	EPA & MME	All miners are to abide by national requirements for labor, including avoiding child labor.

Biodiversity Conservation and Sustainable Management of Living Natural Resources	PS 6 [EPML 4(2)(d)]	EPA & MME	Miners shall protect and conserve plant and animal lives when implementing their projects; and promote sustainable management of living natural resources.
Cultural Heritage	PS 8 [EPML 4]	EPA & MME	Miners shall protect cultural heritage (local traditions and customs) from the adverse impacts of mining activities.

Theme: International Standards – World Bank’s Environmental & Social Standards			
Assessment and Management of Environmental and Social Risks and Impacts	ESS1 [EPML 6(1)]	EPA & MME	All Miners shall assess the environmental and social risks and impacts of their mining projects and implement measures to prevent adverse impacts to the environment.
Labour and working conditions	ESS2 [NEOHP]	EPA & MME	All Miners shall ensure that workers on their sites are protected. There shall be no forced or child labors at their sites.
Resource efficiency and pollution prevention and management	ESS3 [EPML 35] [EPML 36] [EPML 52 & 53]	EPA & MME	All Miners shall avoid or minimize adverse impacts on human health or the environment by avoiding or minimizing pollution from their project activities. Further, all Miners shall avoid or minimize generation of hazardous or non-hazardous wastes.
Community Health and Safety	ESS4 [NEOHP]	EPA & MME	Miners shall ensure the safeguarding of people and properties, avoiding and minimizing risks to their communities. Miners shall also implement their activities such as to avoid adverse impacts of climate change.

Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.	ESS5 [EPML]	EPA & MME	Miners shall avoid or minimize involuntary resettlement or forced eviction resulting from their projects. Miners shall ensure that to mitigate against injuries to persons affected by their projects, such affected persons shall be compensated timely.
Biodiversity Conservation and Sustainable Management of Living Natural Resources	ESS6 [EPML 4(2)(d)]	EPA & MME	All Miners shall protect plant and animal lives when implementing their projects. Miners shall also support livelihoods within their local communities.
Cultural Heritage	EES 8 [EPML 4]	EPA & MME	All Miners shall protect cultural heritage (local traditions and customs) from the adverse impacts of mining activities and support preservation of such cultural heritage.

<b>Theme: International Standards – IFC Performance Standards on Environmental &amp; Social Sustainability</b>			
Assessment and Management of Environmental and Social Risks and Impacts	PS 1 [EPML 6(1)]	EPA & MME	Miners shall assess the environmental and social risks and impacts of their mining activities and take measures to prevent adverse impacts to the environment.
Labor and working conditions	PS 2 [NEOHP]	EPA & MME	Miners shall promote fair treatment, non-discrimination of workers; and to promote compliance with national employment and labor laws.
Resource Efficiency and Pollution Prevention	PS 3 [EPML 35] [EPML 36] [EPML 52 & 53]	EPA & MME	Miners shall avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from mining activities.
Community Health, Safety and Security	PS 4 [NEOHP]	EPA & MME	Miners shall avoid adverse impacts on the health and safety of the community and to uphold human rights principles.
Land Acquisition and Involuntary Resettlement	PS 5 [EPML]	EPA & MME	Miners shall avoid forced eviction; and where avoidance is not possible, minimize adverse social and economic impacts by ensuring just compensation to persons affected by their mining operations.